

CITY OF SAN ANTONIO

Zoning Commission Agenda

Cliff Morton Development and Business Services Center
1901 S. Alamo Street
First Floor

October 6, 2009
Tuesday, 12:45 PM

ZONING COMMISSIONERS

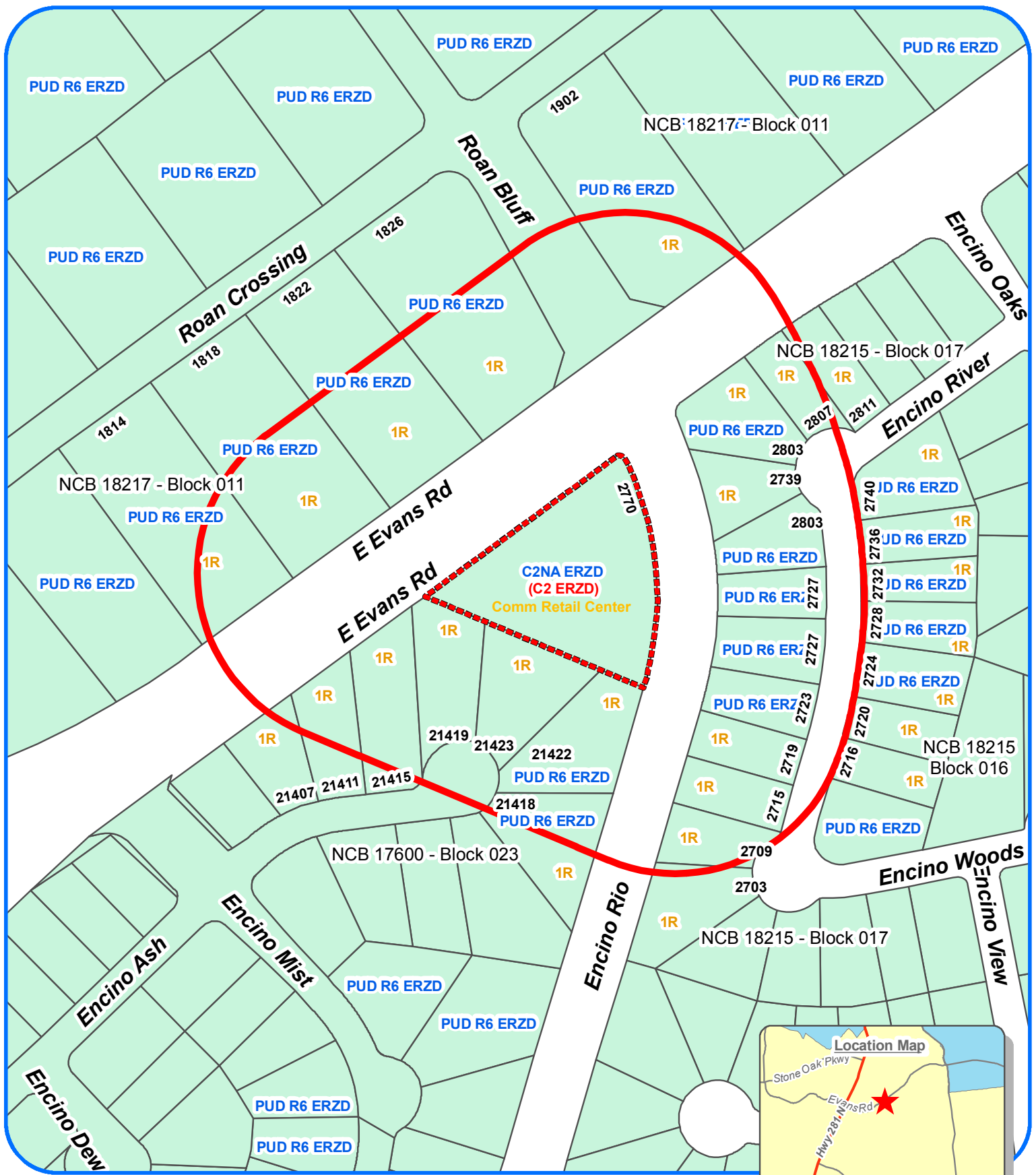
Carolyn Kelley – District 1	David Christian – District 7
Barbara Hawkins – District 2	Billy J. Tiller – District 8
Jim Myers – District 4	Susan Wright – District 9
Joe Valadez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Don Gadberry – District 3	
Chairman	

1. **12:45 PM - Tobin Room** – Work Session on related items, briefing on West Avenue Comprehensive Rezoning, discussion of policies and administrative procedures and any items for consideration on the agenda for October 6, 2009.
2. 1:00 P.M. Board Room– Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of September 15, 2009 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2009149 ERZD:** A request for a change in zoning from “C-2NA ERZD” Commercial Nonalcoholic Sales Edwards Recharge Zone District to “C-2 ERZD” Commercial Edwards Recharge Zone District on Lot 1, Block 23, NCB 17600, 2770 East Evans Road. (Council District 9)
7. **ZONING CASE NUMBER Z2009115 CD:** A request for a change in zoning from “R-6” Residential Single Family District to “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Auto and Light Truck Repair on 1.64 acres out of NCB 15680 and 17365 (CB 5014) on a portion of the 13000 and 14000 blocks of Bulverde Road. (Council District 10)
8. **ZONING CASE NUMBER Z2009140:** A request for a change in zoning from “R-4” Residential Single-Family District to “C-2” Commercial District on Lot 5, Block 69, NCB 3667, 323 Northwest 24th Street. (Council District 5)
9. **ZONING CASE NUMBER Z2009143:** A request for a change in zoning from “R-6” Residential Single-Family District and “MF-33” Multi-Family District to “MF-33” Multi Family District (on 0.7683 of an acre) and “C-3R” General Commercial Restrictive Alcoholic Sales District (on 1.534 acres) on 2.3023 acres out of Block 3, NCB 8988, along Eldridge Avenue. (Council District 6)

10. **ZONING CASE NUMBER Z2009144 HS:** A request for a change in zoning from “MF-33” Multi-Family District to “HS MF-33” Historic Significant Multi-Family District on 0.4201 of an acre out of Block 2, NCB 767, 521 West Euclid Avenue. (Council District 1)
11. **ZONING CASE NUMBER Z2009151:** A request for a change in zoning from “I-1” General Industrial District to “C-2” Commercial District on Lots 16 and 17, Block 19, NCB 7685, 6112 South Flores Street. (Council District 3)
12. **ZONING CASE NUMBER Z2009152:** A request for a change in zoning from “R-5 CD” Single-Family Residential District with a Conditional Use for a Retail Import Business to “O-1” Office District on Lot 20, Block 6, NCB 9194, 4819 San Pedro Avenue. (Council District 1)
13. **ZONING CASE NUMBER Z2009153:** A request for a change in zoning from “DR” Development Reserve to “O-1” Office District on 0.280 of an acre out of Block 6, NCB 10378, 2000 Block of El Monte Boulevard. (Council District 1)
14. **ZONING CASE NUMBER Z2009155 CD:** A request for a change in zoning from “C-2P” Commercial Pedestrian District to “C-2P CD” Commercial Pedestrian District with Conditional Use for a Motor Vehicle Sales on Lot 178 and east 20 feet of Lot 177, Block H, NCB 8360, 1158 Bandera Road. (Council District 7)
15. **ZONING CASE NUMBER Z2009157 S:** A request for a change in zoning from “AE-1” Arts and Entertainment District to “AE-1 S” Arts and Entertainment District with a Specific Use Authorization for a hotel on Lot 1 and the west 22 feet of Lot 2 (also known as Arbitrary Lot A-10), Block A, NCB 597 save and except 0.0034 of an acre out of Lot 1, Block A, NCB 597 (Per deed volume 11825, page 2485), 1304 East Commerce. (Council District 2)
16. **ZONING CASE NUMBER Z2009158:** A request for a change in zoning from “R-4 EP-1” Residential Single-Family Facility Parking/Traffic Control District to “MF-18 EP-1” Multi-Family Facility Parking/Traffic Control District on Lot 22, Block 4, NCB 1422, 431 Belmont Street. (Council District 2)
17. Appointment of Zoning Commission Member to the Planning Commission Technical Advisory Committee (TAC).
18. Discussion and action on elect a Chairman and Pro-Tem for the remainder of 2009.
19. Briefing on the proposed Military Lighting Overlay District Comprehensive Rezoning Case.
20. Director’s Report – No issue to report.
21. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
22. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Zoning Case Notification Plan

Case Z-2009-149 ERZD

Council District 9

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): NCB 17600 - Block 023 - Lot 1

Legend

- Subject Property (0.893 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(08/31/2009 - E Hart)

CASE NO: Z2009149 ERZD

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 9

Ferguson Map: 483 E6

Applicant Name:

Owner Name:

Birvek Retail, LLC Attn: Mark Lee

Birvek Retail, LLC Attn: Mark Lee

Zoning Request: From "C-2NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District.

Property Location: Lot 1, Block 23, NCB 17600

2770 East Evans Road

The southwest corner of East Evans Road and Encino Rio.

Proposal: To allow the sale of alcoholic beverages for off-premise consumption.

Neigh. Assoc. Cavalo Creek Estates Home Owner's Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is occupied by a commercial retail center with ingress/egress on both East Evans Road and Encino Rio. The property is adjacent to R-6 zoning in all directions. The surrounding land uses consist of residential dwellings to the north, south, east and west. The subject property was previously zoned Temporary R-1 ERZD Single-Family Residence Edwards Recharge Zone District. In a 1998 rezoning case, the property was rezoned to B-2 NA ERZD Business Non-Alcoholic Sales Edwards Recharge Zone District. Upon the adoption of the 2001 Unified Development Code, the previous zoning district converted to the current C-2 NA ERZD Commercial Nonalcoholic Sales Edwards Recharge Zone District.

The applicant is proposing a convenience/grocery store with alcohol sales within the commercial development. Staff finds this request reasonable due to the location of the subject property on East Evans Road, (a Primary Arterial Type A street) and Encino Rio (a Collector street). Further rezoning to C-2 would allow alcohol sales, but would not allow a bar or nightclub by-right.

The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, the Garrison Commander did not review the zoning request because the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis.

SAWS Summary

SAWS does not object to the sale of alcoholic beverages for off premise consumption, as it will not affect the water quality. Further, the request to allow the sale of alcohol will not increase the impervious cover for the subject property, which is within an existing commercial development.

CASE MANAGER : Brenda Valadez 207-7945

DEVELOPMENT SERVICES
RECEIVED

2009 AUG 28 AM 9:15

SAN ANTONIO WATER SYSTEM
Interdepartmental Correspondence Sheet

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Michael A. Escalante, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2009149 (Encino Point)

Date: August 28, 2009

SUMMARY


A request for a change in zoning has been made for an approximate 0.893-acre tract located on the city's north side. A change in zoning from **C-2 NA ERZD** to **C-2 ERZD** is being requested by the applicant, Brown & Ortiz, P.C. Attorneys at Law, by Mr. James B. Griffin. The change in zoning has been requested to allow the sale of alcoholic beverages for off premise consumption.

Currently the site is fully developed as a commercial retail center with four retail suites located within the property of Encino Pointe. The subject property is located at 2770 E. Evans Rd., Suite 101 which is approximately 0.89 acres. The development was formerly known as Encino Rio, and previously approved by Texas Commission on Environmental Quality (TCEQ) on August 6, 2004 with an impervious cover of 0.57 acres (64%). Additionally the proposed zoning change will not increase the impervious cover as the subject site is requesting the zoning change to allow the sale of alcoholic beverages.

According to the U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Group. Observation of underlying geology was not possible since the site is developed and covered with parking lots and buildings. However, a previous geologic assessment showed there to be no sensitive recharge features on the property. The subject property is in City Council District 9, located at the southwest corner of the intersection of E. Evans Rd. and Encino Rio Rd. The entire property lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

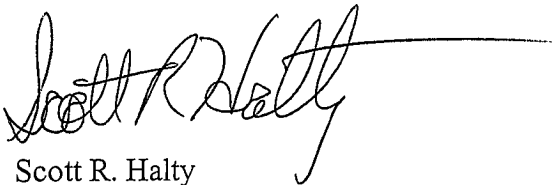
Zoning Commission Members
Z2009149 Encino Point
Page 2

Based on the information submitted by the applicant, SAWS staff does not object to the sale of alcoholic beverages for off premise consumption located at Encino Pointe, as this will not affect the water quality. Should the San Antonio City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any proposed development on that property after the zoning classification has been changed should be reviewed by all applicable agencies.



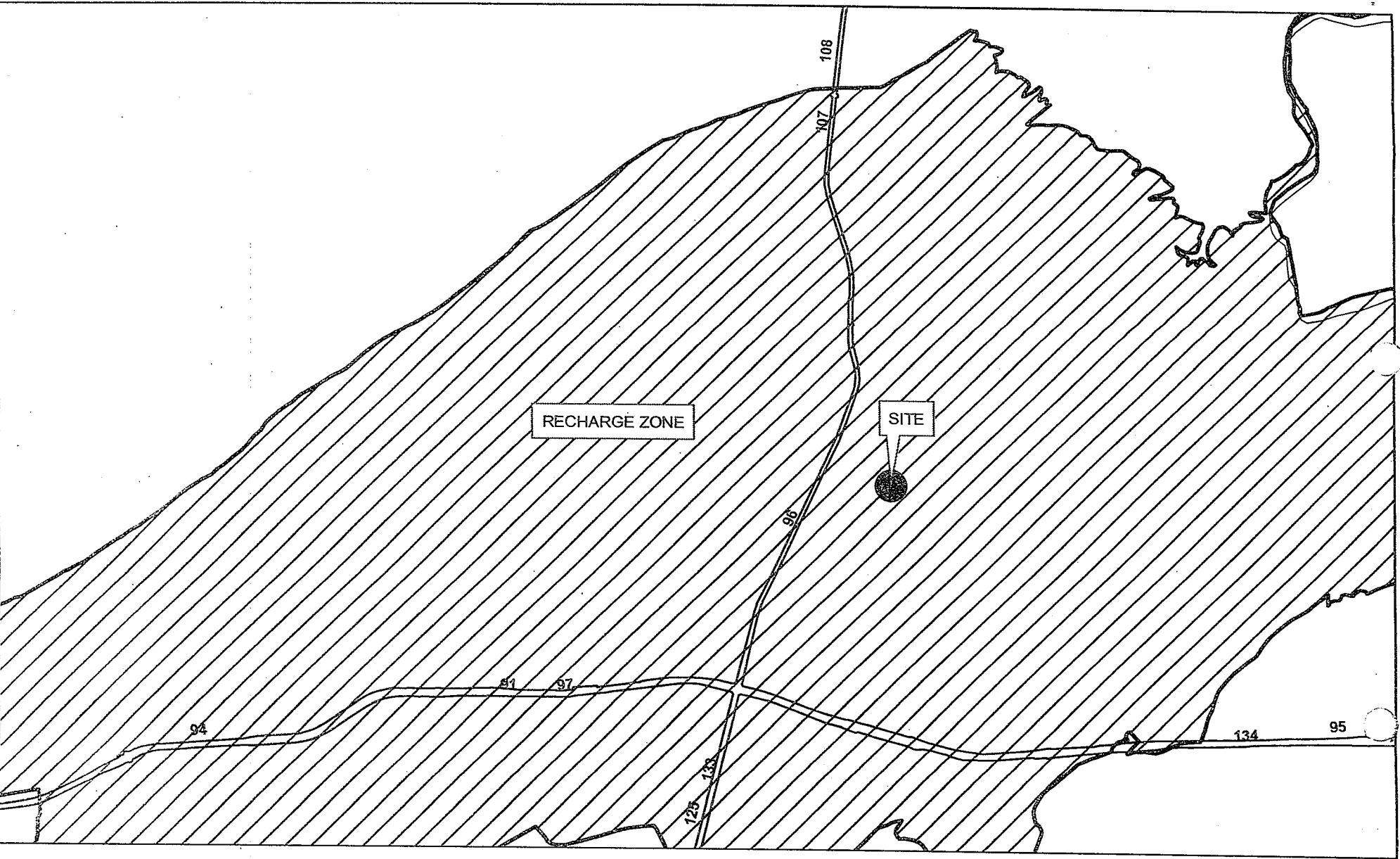
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MAE

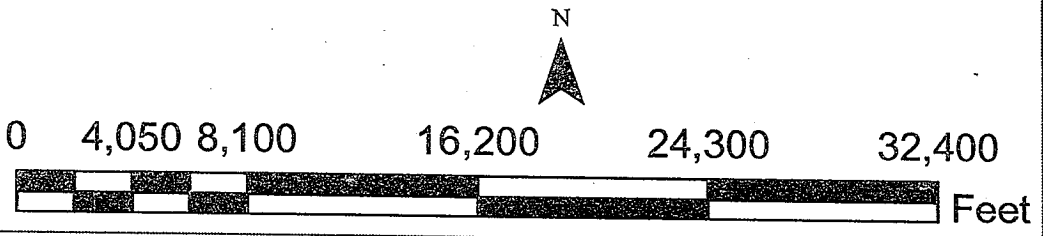


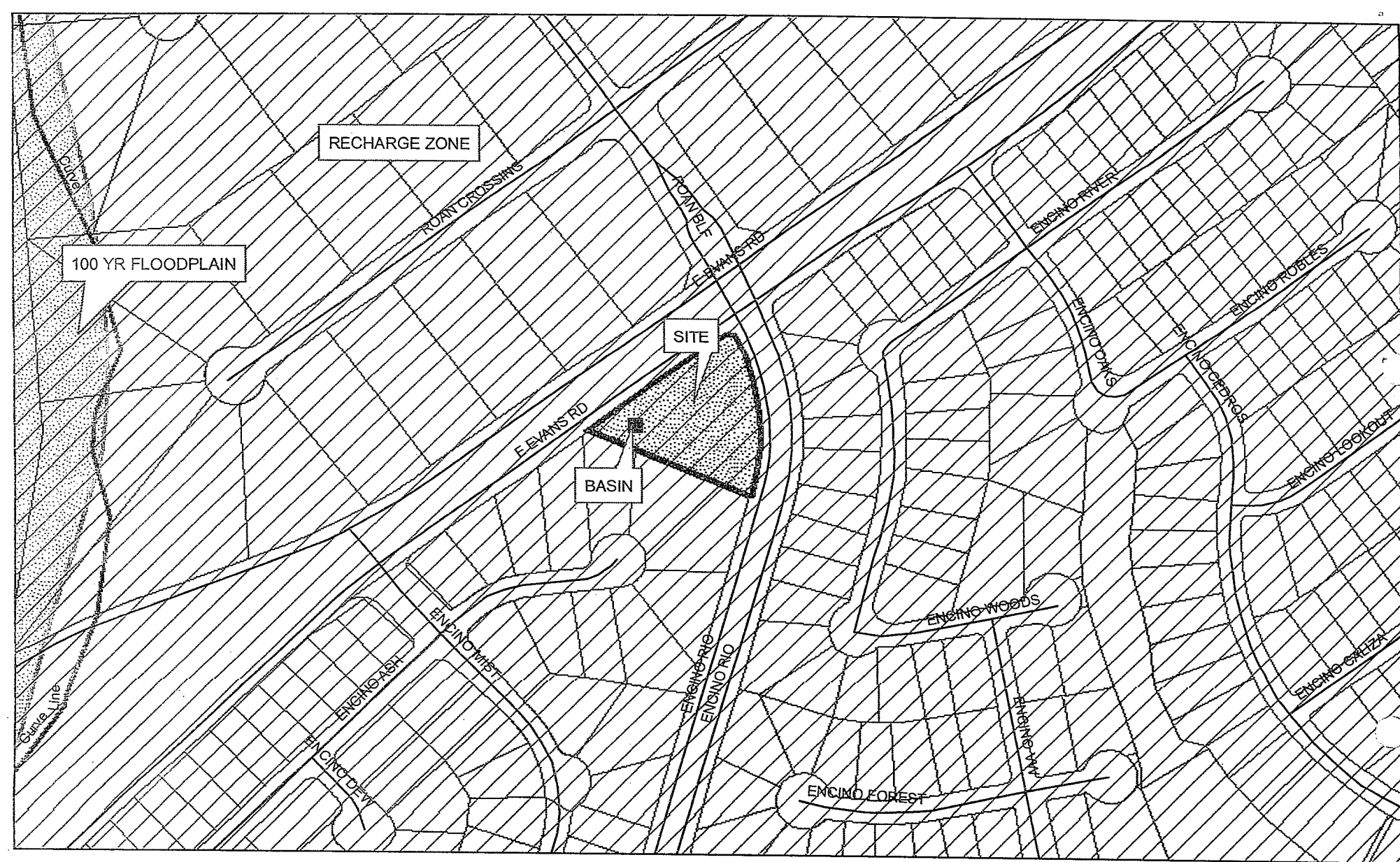
ZONING FILE: ENCINO POINT (FIGURE 1)

ZONING ID: Z2009149

MAP PAGE: 483, E6 X=2145089 Y=13779973

Map Prepared by Aquifer Protection & Evaluation MAE 8/24/2009



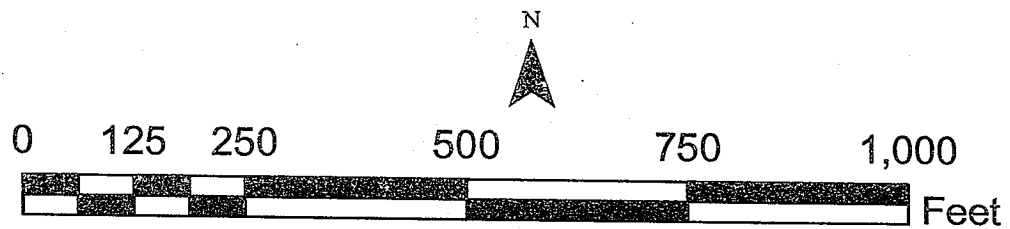


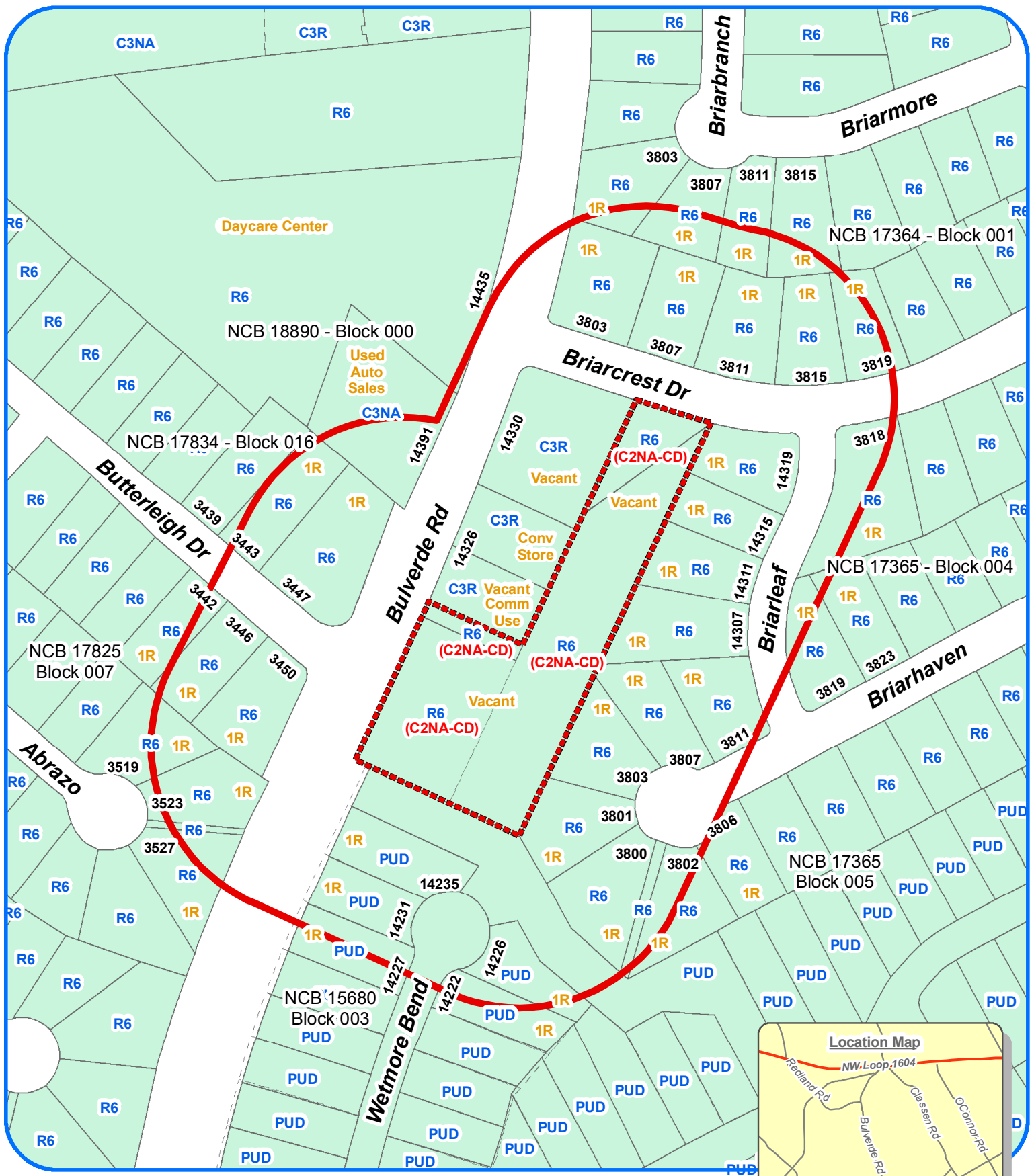
ZONING FILE: ENCINO POINT (FIGURE 2)

ZONING ID: Z2009149

MAP PAGE: 483, E6 X= 2145089 Y= 13779973

Map Prepared by Aquifer Protection & Evaluation MAE 8/24/2009





Zoning Case Notification Plan

Case Z2009115 CD

Council District 10

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): 1.64 acres out of NCB 15680 and 17365 (CB 5014)

Legend

- Subject Property (1.64 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(09/24/2009 - E Hart)

CASE NO: Z2009115 CD

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 10

Ferguson Map: 518 B8

Applicant Name:

Owner Name:

Brown & Ortiz, PC c/o James Griffin

WF Partnership, DF Partnership, and Obanion Enterprises, Inc.

Zoning Request: From "R-6" Residential Single Family District to "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Auto and Light Truck Repair.

Property Location: 1.64 acres out of NCB 15680 and 17365 (CB 5014)

A portion of the 13000 and 14000 blocks of Bulverde Road

An "L" shaped area within the southeast corner of Bulverde Road and Briarcrest Drive

Proposal: To allow an auto repair facility

Neigh. Assoc. Eden Home Owners Association & San Antonio St. James Place Home Owners Association Inc. (both within 200 feet)

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Approval of "C-2NA" Commercial Nonalcoholic Sales District; denial of the requested Conditional Use for Auto and Light Truck Repair.

The subject property, of two separate tracts plus a portion of a third tract totaling 1.64 acres, is an "L" shaped area within the southeast corner of Bulverde Road and Briarcrest Drive. Two of the three lots are undeveloped, while the subject portion of the third lot includes part of a driveway and parking lot for a used car sales lot. The subject property was annexed in 1985, per Ordinance 61612. The subject property was originally zoned "Temp R-1" Temporary Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to the current "R-6" Residential Single-Family District. Surrounding zoning includes "C-3R" General Commercial Restrictive Alcoholic Sales District abutting to the north; "C-3NA" General Commercial Nonalcoholic Sales District across Bulverde Road to the northwest; "R-6" Residential Single-Family District to the north, east, and southwest; with "PUD R-6" Planned Unit Development Residential Single-Family District to the south. Surrounding land uses include a convenience store/gas station and auto sales abutting to the north with undeveloped property and single family homes farther to the north; auto sales and a childcare center to the northwest; with single-family homes to the east, west, and south. A city-owned drainage right-of-way abuts the subject property to the south. The applicant requests a zoning change to allow development of an auto and light truck repair facility.

Staff finds the subject property to be suitable for commercial development, as its frontage on a major arterial (Bulverde Road) and the abutting commercial uses make residential development unlikely and inappropriate. The "C-2" district allows for commercial uses in scale with the neighboring residential subdivision.

Staff finds the requested conditional use to be too intense for the subject property's location. Auto and light truck repair is typically identified as a Regional Commercial land use; and such uses are most appropriately located at the intersections of major arterials and expressways, on large-acreage sites, and should be buffered from residential uses by a lower-intensity zoning district. Although "C-3R" zoning does abut the subject property, the zoning dates back a number of years, and staff does not support allowing a regional

CASE NO: Z2009115 CD

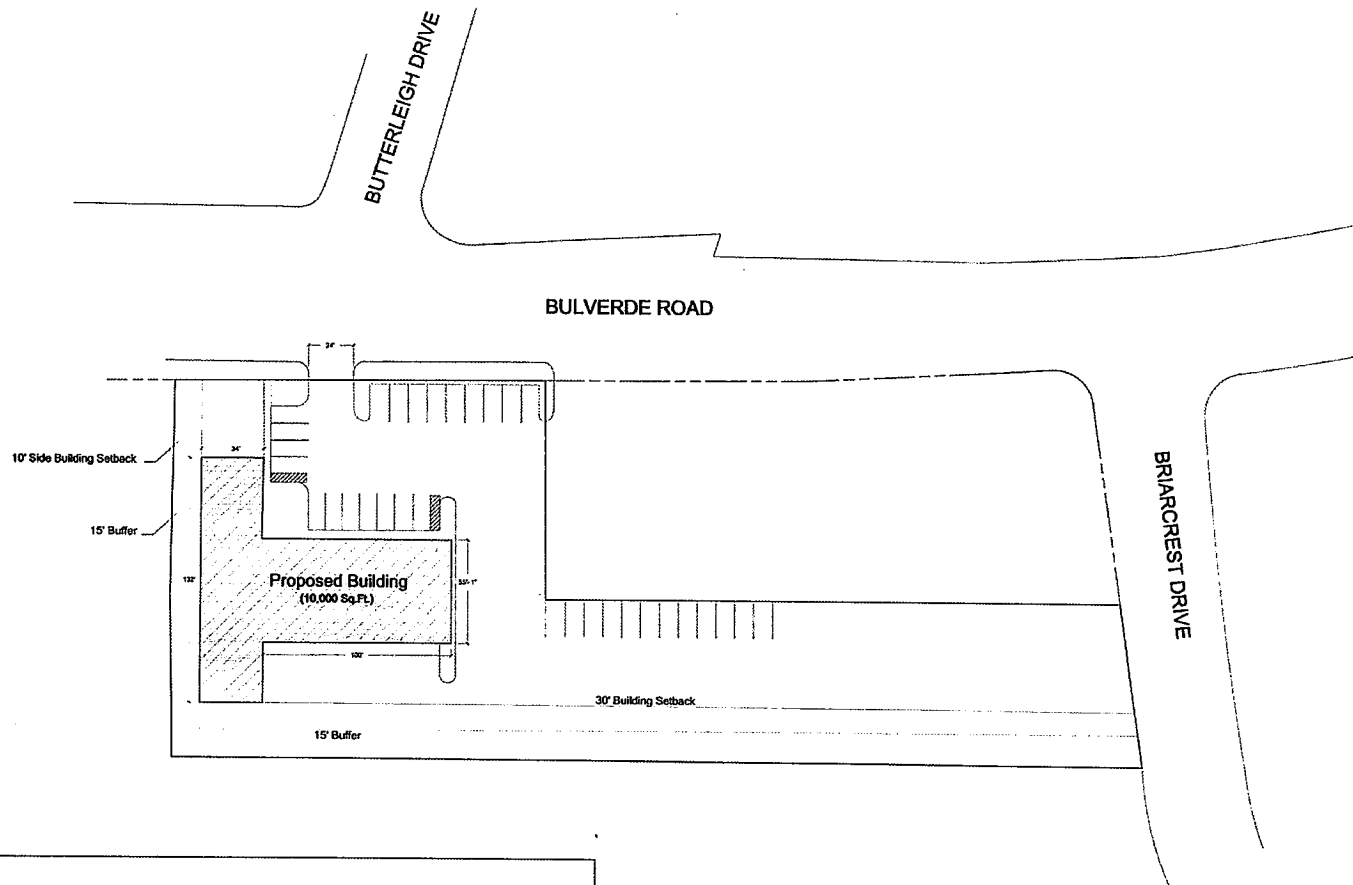
Final Staff Recommendation - Zoning Commission

commercial use in such close proximity to residences.

Should the requested conditional use be approved, the auto repair facility will be subject to Section 35-397 of the UDC, which states that junked or inoperable vehicles shall not remain on site for more than five working days. Additionally, staff recommends the following conditions should the conditional use request be approved:

1. No vehicles shall be kept on premise for more than 30 days.
2. All repair work shall take place indoors.
3. A Type C (15-foot) landscape buffer including a 6-foot tall, solid screen fence shall be maintained along the side and rear property lines where the subject property abuts residential uses or zoning.
4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.
5. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 7:00 p.m.
6. All service bay access and openings shall be oriented toward Bulverde Road, and away from abutting residential zoning or uses.

CASE MANAGER : Micah Diaz 207-5876



Site Plan Summary:

1. Total Acreage - 71,437.85 Sq.Ft. (1.64 ac.)
2. Proposed Building - 10,000 Sq.Ft.
3. Total Concrete Surface - 1,850 Sq.Ft.
4. Total Asphalt Surface - 38,975 Sq.Ft.
5. Total Impervious Cover - 48,825 Sq.Ft.
6. 10 Ft. side building setback
7. 30 Ft. rear building setback
8. 15 Ft. rear & side buffers
9. Parking - 32 Spaces (9' x 19' each)
- includes 2 ADA parking spaces (14' x 19' each)

Proposed use of property to be Auto/Light Truck Repair.

Note: "I, Mark Scina, the tenant, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits."

Note: Site plan is pursuant to the Unified Development Code.

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BULVERDE
ROAD
BRIARCREST
DRIVE

SITE PLAN

Dixie Watkins III
& Associates

Landscape Architecture

Land Planning

Natural & Cultural
Resources Management

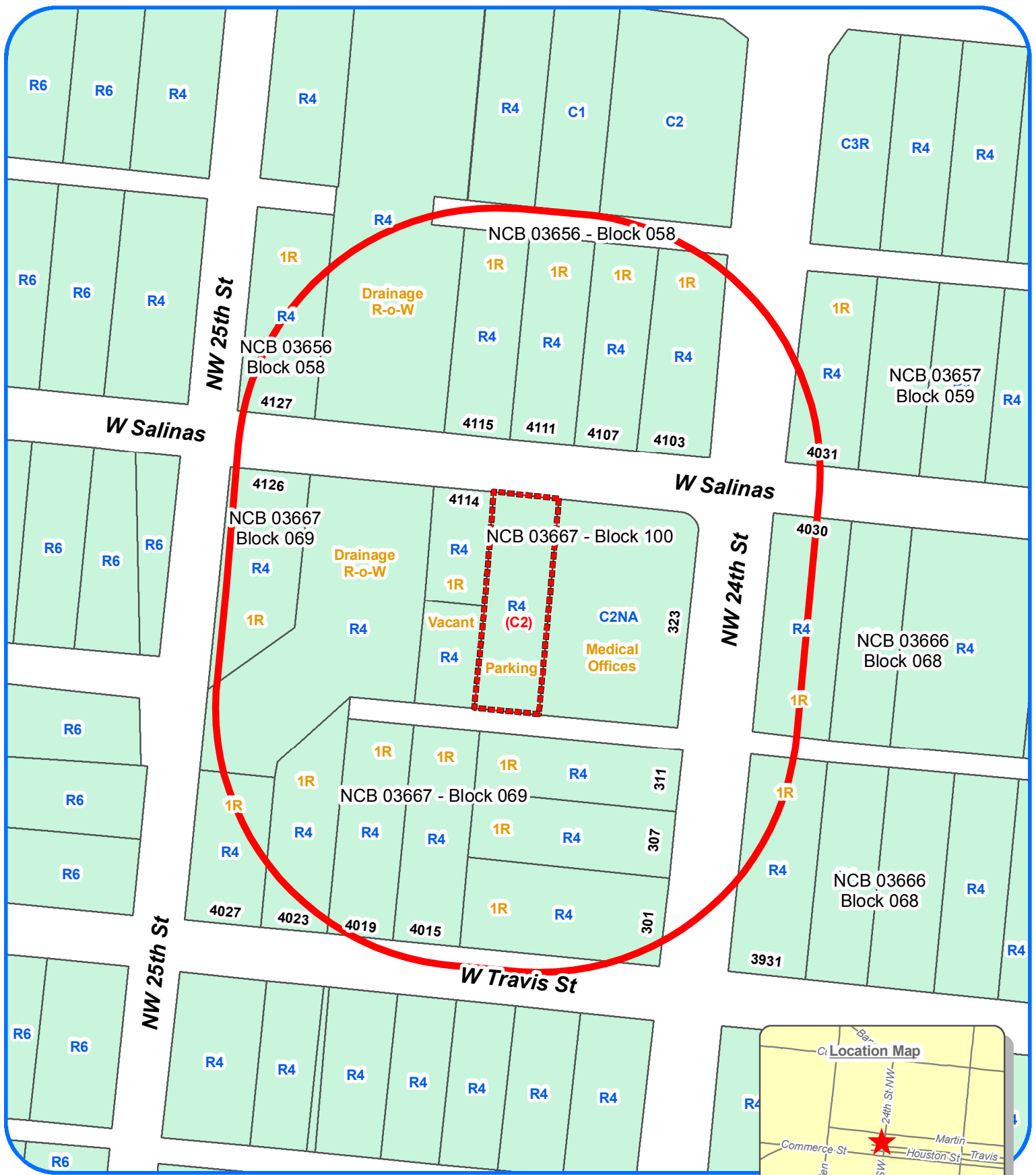
11 Lyra Bello Lane, Suite 110
San Antonio, Texas 78218
(710) 825-7834 FAX (214) 612-0112



Date:



Drawn from plan: 20060701-Proposed Bulverde Rd. Briarcrest Drive, 11 Lyra Bello Lane, Suite 110, San Antonio, Texas 78218



Zoning Case Notification Plan

Case Z-2009-140

Council District 5

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 03667 - Block 069 - Lot 5

Legend

- Subject Property (0.193 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(09/02/2009 - E Hart)

CASE NO: Z2009140

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009 Zoning Commission continuance (Commissioner's request) from September 15, 2009

Council District: 5

Ferguson Map: 615 E3

Applicant Name: **Owner Name:**

Clay Gruesbeck, M.D. Clay Gruesbeck Jr. & Jeffery Miller

Zoning Request: From "R-4" Residential Single-Family District to "C-2" Commercial District.

Property Location: Lot 5, Block 69, NCB 3667
323 NW 24th Street
On the southwest corner of West Salinas and NW 24th Street

Proposal: To allow a non-commercial parking lot.

Neigh. Assoc. Prospect Hill Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

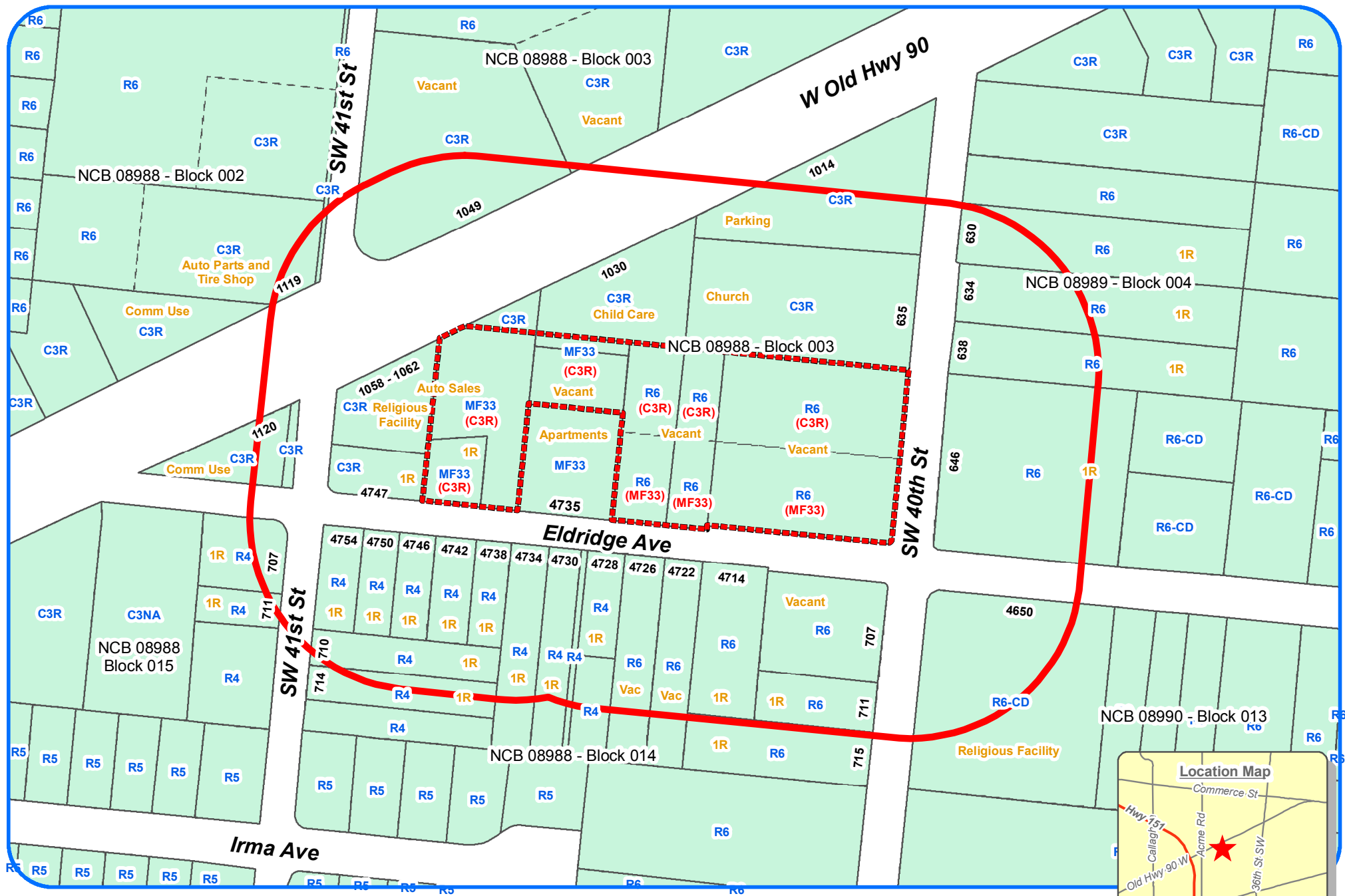
Denial of C-2 with an alternate recommendation of O-1

The subject property is currently utilized as a parking lot for an adjoining medical and dental office facility. The property is adjacent to R-4 zoning to the north, south and west and C-2 zoning to the east. The surrounding land uses consist of residential dwellings to the north, south and west and the Gruesbeck Medical Clinic to the east.

The applicant is requesting a zoning change in order to bring an existing parking lot use into compliance. The requested C-2 zoning would not be compatible with the surrounding zoning districts and current uses along West Salinas. Single-family dwellings exist to the north, south and west of the subject property. In order to provide sustainable development, land uses should transition from more intense uses to less intense uses. Given the uses permitted within the requested zoning district and the adjacent single-family residences, C-2 would be too intense at this location.

As an alternate recommendation, staff suggests the O-1 district as the most appropriate zoning for this property. The O-1 Office District would limit the potential commercial impact on the established residential neighborhood. It would also serve as a suitable buffer between the existing commercially zoned lot and the established residential dwellings. An O-1 office designation would be more compatible with the surrounding zoning and would allow uses more in character with surrounding development than would C-2. Further, being that the current use of the property is not residential, there will be no loss of housing stock in this neighborhood.

CASE MANAGER : Brenda Valadez 207-7945



Zoning Case Notification Plan Case Z2009143

Subject Property Legal Description(s): 2.3023 out of NCB 08988 - Block 003

Scale: 1" approx. = 150 Feet
Council District 6

Legend
Subject Property (2.3023 Acres)
200' Notification Buffer
Current Zoning
Requested Zoning Change
100-Year FEMA Floodplain

TEXT
(TEXT)



Planning & Development Services Dept.
City of San Antonio
(08/17/2009 - E Hart)

Final Staff Recommendation - Zoning Commission

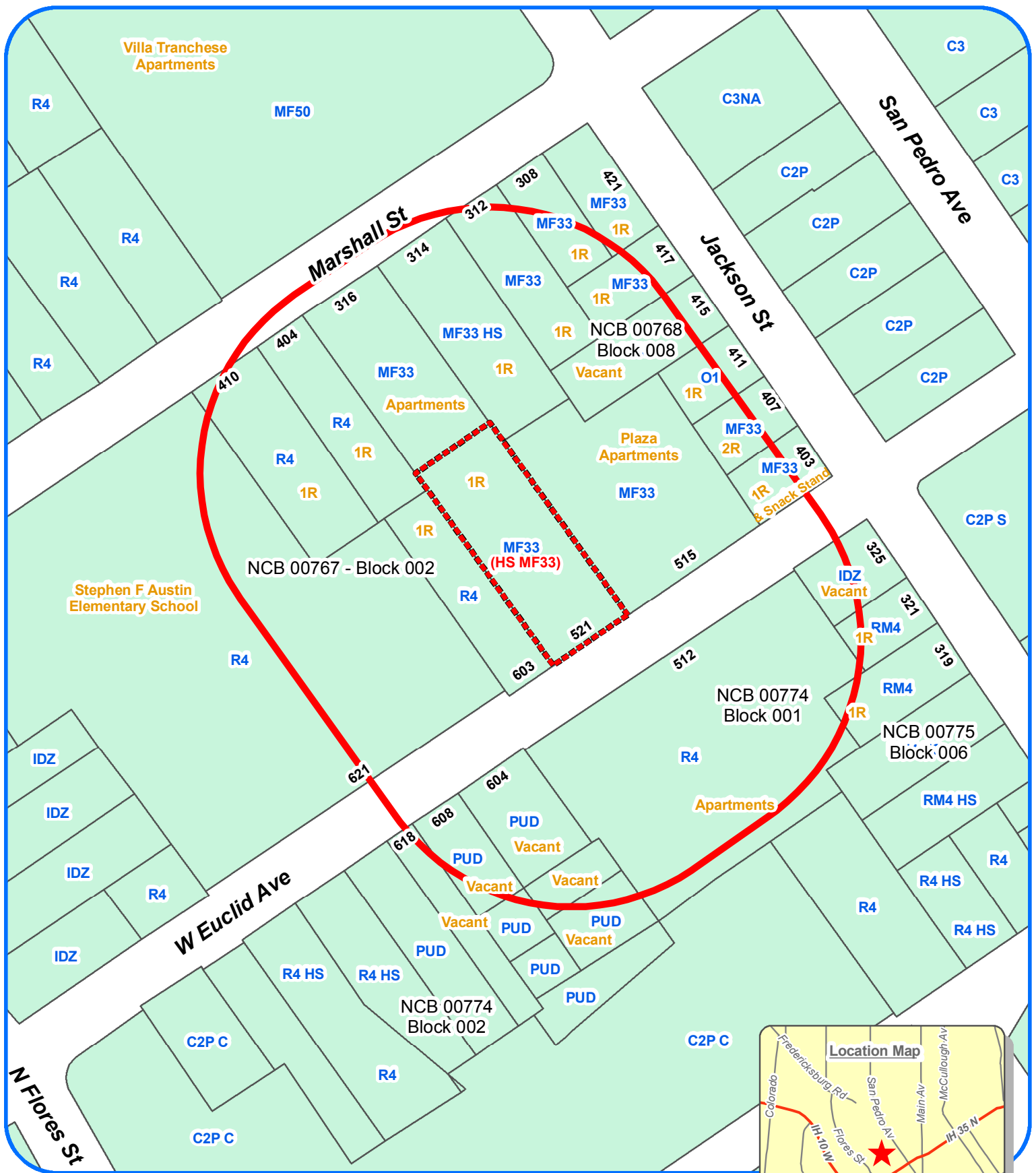
Staff does not support the applicant's stated zoning request as it would expand and intensify the existing zoning pattern along Old Highway 90. Staff does support establishing a development pattern consisting of very low density multi-family uses, acting as a transition between intense commercial uses along a major thoroughfare and single-family residential uses along local streets. Because the subject property and its

CASE NO: Z2009143

Final Staff Recommendation - Zoning Commission

surrounding block are relatively small, the opportunity for transition from commercial to single-family uses is condensed. Staff supports the general pattern, but for this area encourages using a lower intensity commercial district, and a residential zoning that allows for 2-, 3-, and 4-unit dwellings. Staff agrees that the portion of the subject property currently zoned for residential single-family use is not likely to be developed as such, mainly due to its proximity to Old Highway 90. However, extending the "C-3R" zoning beyond its current locations would allow many commercial uses that are too intense for the surrounding residential neighborhood.

CASE MANAGER : Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z2009144 HS

Council District 1

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): 0.4201 of an acre out of Block 2, NCB 767

Legend

- Subject Property (0.4201 acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(08/12/2009 - E Hart)

CASE NO: Z2009144 HS

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 1

Ferguson Map: 616 D3

Applicant Name:

Owner Name:

City of San Antonio Office of Historic
Preservation

David Dorsey & Linda Braun

Zoning Request: From "MF-33" Multi-Family District to "HS MF-33" Historic Significant Multi-Family District.

Property Location: 0.4201 of an acre out of Block 2, NCB 767

521 West Euclid Avenue

On the north side of Euclid Avenue between Jackson and Flores Street

Proposal: To designate as Historic Significant

Neigh. Assoc. Five Points Neighborhood Association

Neigh. Plan Five Points Neighborhood Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Approval.

The subject property is 0.4201 of an acre in size and is located on the north side of West Euclid Avenue, between North Flores Street and Jackson Street. The existing single-family residence measures approximately 3270 square feet, and was likely built in the early 1880s. The subject property was originally zoned "D" Apartment District. In 1976, a portion of the property was rezoned to "O-1" Office District; and in a 2001 case, the entire property was rezoned to "MF-25" Multi-Family District. As part of a 2002 City-initiated rezoning case, the zoning was changed to "MF-33" Multi-Family District in accordance with the Five Points Neighborhood Plan. Surrounding zoning includes "MF-33" to the east and northeast; "R-4" Residential Single-Family District to the northwest, west, and south; "PUD R-4" and "RM-4" Residential Mixed District to the southwest and southeast; with "C-2P" Pedestrian Commercial District farther to the south and to the east. Surrounding land uses include a mix of single-family homes, duplexes and apartments immediately abutting the subject property. Other surrounding uses include an elementary school to the west, and commercial uses to the east along Jackson Street and San Pedro Avenue.

The owners of the subject property are seeking to designate the property as Historic Significant. The Historic Preservation Office recommends a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On August 19, 2009, the Historic and Design Review Commission agreed with Historic Division Staff and is recommending approval of a finding of Historic Significance. Acting as the applicant for the zoning case, the Historic Preservation Office requests a zoning change to "HS MF-33" Historic Significant Multi-Family District.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

The Five Points Neighborhood Plan designates the future land use of the subject property as Low Density

CASE NO: Z2009144 HS

Final Staff Recommendation - Zoning Commission

Residential. However, there is no request to change the base zoning district; therefore, the request does not require an amendment to the plan.

CASE MANAGER : Micah Diaz 207-5876

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009144

Address: 521 W. Euclid

Existing Zoning: MF-33

Requested Zoning: HS MF-33

Registered Neighborhood Association(s): Five Points Neighborhood Association

Neighborhood/Community/Perimeter Plan: Five Points Neighborhood Plan

Future Land Use for the site: Low Density Residential

Analysis:

The subject parcel is approximately 0.4201 acres with an existing structure located on the property. 521 W. Euclid is located in the northeast quadrant formed by the intersection of W. Euclid Avenue and Jackson Street. The City of San Antonio Office of Historic Preservation is seeking a zoning change from MF-33 to MF-33 HS in order designate this property as a historic landmark status.

The future land use in the Five Points Neighborhood Plan designates this property as Low Density Residential. The Five Points Neighborhood Plan also designates all adjacent properties as Low Density Residential.

Preservation of existing housing structures through individual historic landmark designation or designation of all housing stock in order to create a historic district for the neighborhood are identified as initiatives that have community support (pg. 8).

The approval of this zoning case keeps in spirit with the plan, goals and objectives of the Five Points Neighborhood Plan. Designating this property as MF-33 HS will aid in further preserving the architectural and historical character of this area of our community

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing

Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation:

Reviewer: Tyler Sorrells

Title: Planner

Date: August 7, 2009

Manager Review: Nina Nixon-Mendez

Date: 2009



CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

August 19, 2009

HDRC CASE NO: 2009-246
ADDRESS: 521 W. Euclid Ave
LEGAL DESCRIPTION: NCB 767 BLK 2 LOT 2 & E 13.9 OF 3, S 22.2 OF 7 &
S 22.2 FT OF E 15.75 FT OF 8
PUBLIC PROPERTY:
HISTORIC DISTRICT:
LANDMARK NAME:
APPLICANT: David Dorsey and Linda Braun 521 W. Euclid Ave
OWNER: David Dorsey and Linda Braun
TYPE OF WORK: Historic Landmark Designation

REQUEST:

The applicant is requesting a Certificate of Appropriateness for historic landmark status for the property at 521 W. Euclid Avenue.

STAFF RECOMMENDATION

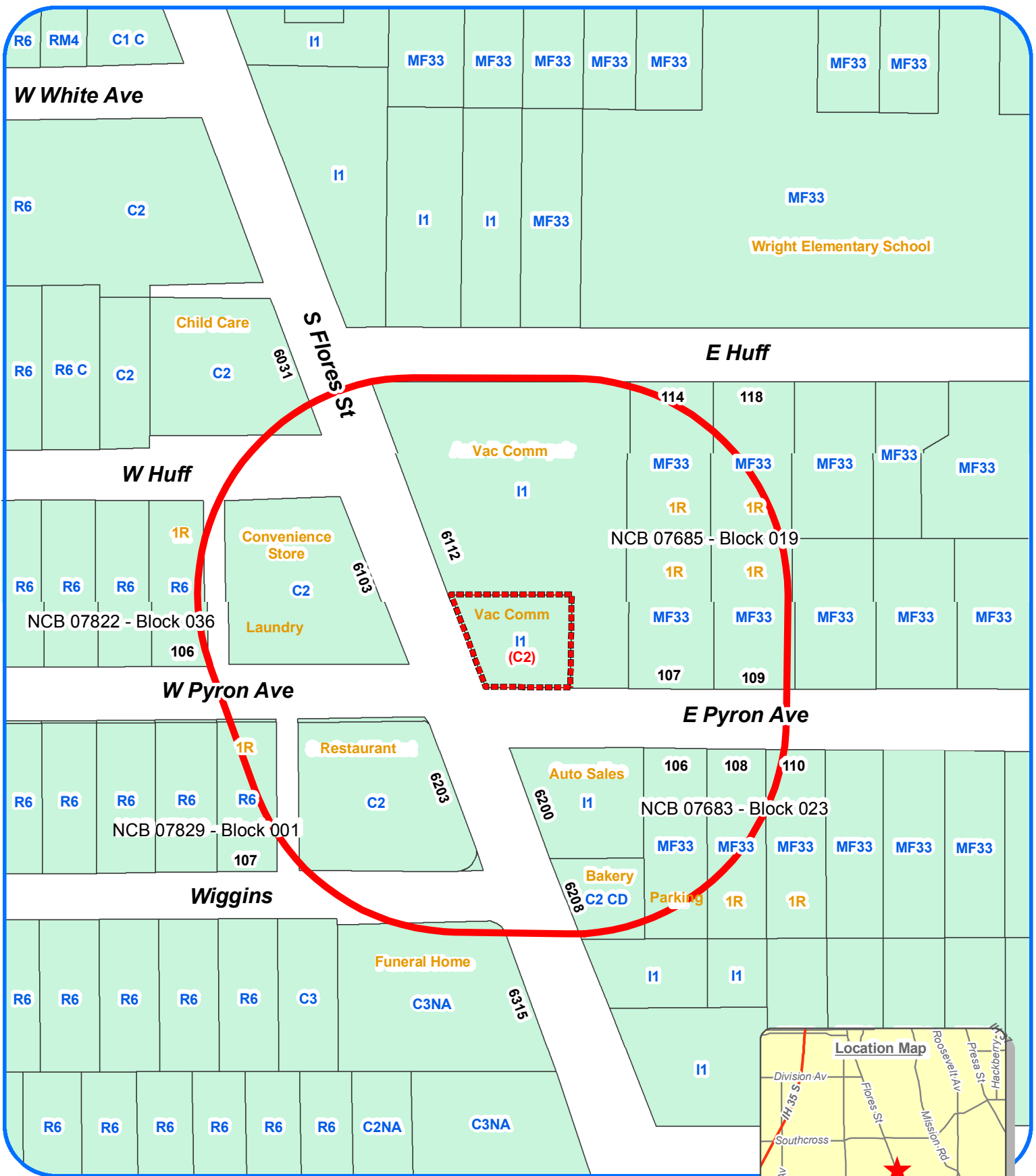
Staff recommends approval of this request as submitted. Research by the applicant indicates that the property was once home to a prominent businessman and jeweler, Eli Hertzberg. The home was built in 1882 and is seen in Sandborn maps of the area in 1896. Mr. Hertzberg started his business in 1878 at the corner of Houston St. and St. Mary's St. where a clock still remains. Anna Goodman Hertzberg started the Tuesday Musical Club in 1901 and the club here as was known as the "Home of Music" for over 30 years. Mrs. Hertzberg was president of the National Council of Jewish Women and was the first woman elected to public office in Texas in 1909 (eleven years before women won the right to vote). Their son, Senator Harry Hertzberg, lived in the house his entire life and was known for his collection of circus memorabilia and rare books. He started the Hertzberg Circus Museum, served on the San Antonio Zoological Society and endowed a scholarship in his mother's name at the Tuesday Musical Club. Staff recommends that this property qualify for landmark status based on the following criteria:

1. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;
2. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years;

FINAL APPROVAL:

Finding of Historic Significance

Sharon Peterson Wasielewski
Historic Preservation Officer



Zoning Case Notification Plan

Case Z-2009-151

Council District 3

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 07685 - Block 019 - Lots 16 and 17

Legend

- Subject Property (0.188 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year DFIRM Floodplain

TEXT

(TEXT)



Planning & Development Services Dept
City of San Antonio
(09/17/2009 - E Hart)

CASE NO: Z2009151

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 3

Ferguson Map: 650 E6

Applicant Name:

Owner Name:

Joseph A. Guajardo/Guajardo Real Estates
Management

Rozi P. Guajardo

Zoning Request: From "I-1" General Industrial District to "C-2" Commercial District.

Property Location: Lots 16 and 17, Block 19, NCB 7685

6112 South Flores Street

On the east side of South Flores Street between East Huff to the north and East Pyron Avenue to the south.

Proposal: To allow a beauty salon

Neigh. Assoc. Mission San Jose Neighborhood Appearance and Safety Committee

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is located on the northeast corner of South Flores Street and East Pyron Avenue. The subject property is 0.188 of an acre and is occupied by a vacant commercial building that measures 960 square feet. The property is adjacent to I-1 zoning to the north and south, MF-33 zoning to the east and C-2 zoning to the west. The surrounding land uses consist of residential dwellings to the east, auto sales to the south, a convenience store and restaurant to the west and a vacant commercial building to the north.

The applicant is requesting this rezoning to allow a beauty shop. Staff supports down-zoning the subject property from I-1 to C-2. A significant amount of commercial zoning exists within the vicinity of the subject property. Staff finds the request for C-2 to be appropriate given the subject property's location off of a major arterial, South Flores Street (a Primary Arterial "Type A" street) and the prevalence of commercial uses to the south and west. Furthermore, commercial uses would be compatible at this location rather than industrial uses because the existing zoning and use patterns in this area are mostly commercial in nature.

The South Central San Antonio Community Plan currently designates the future land use for the subject property as Mixed Use. This land use provides for a mix of uses in the same building or in the same development such as small offices, small retail establishments and high density residential uses. The C-2 Commercial District would lessen a potential intensity increase of uses offered by the existing I-1 General Industrial District.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009151

Existing Zoning: I-1

Requested Zoning: C-3

Registered Neighborhood Association(s): Mission San Jose Neighborhood Association

Neighborhood/Community/Perimeter Plan: South Central San Antonio Community Plan

Future Land Use for the site: Mixed Use

Analysis:

The subject property is located at the northeast corner of South Flores Street and East Pyron Avenue. The applicant is requesting a zoning change from I-1 Industrial District to C-3 Regional Commercial District to allow for a beauty shop. This property is within the South Central San Antonio Community Plan; just few blocks north of Southeast Military Drive. The subject property, approximately 0.219 acre, is currently developed and bordered by both high and low density residential uses to the east and north, and commercial uses to the west and south. Commercial uses across from South Flores Street are in Community Commercial uses in nature.

The South Central San Antonio Community Plan designates this part of South Flores Street as a Mixed Use land use category. This classification allows for a mix of uses in the same building or in the same development such as small offices (dentists, insurance professionals, non-profits, etc.), small retail establishments (cafes, shoe repair shops, gift shops, antique stores, hair salons, drug stores, etc.) and high-density residential uses. By indicating that an area is a candidate for Mixed-Use Development, the community is calling for an overall development plan that includes a mix of uses within the development and within individual buildings. The requested Regional Commercial (C-3) uses are for offices, professional services, and retail uses that draw on the customer base of a region. Examples include "big box" retail and retail "power centers", shopping malls, movie theaters and medical or office complexes that are mid to high rise. Regional Commercial uses are typically located at nodes formed by highways and major arterials, or two major arterials, and are usually 20 acres or greater in size.

The request does not conform to the land use plan. However, a C-2 Community Commercial zoning is allowed under Mixed Use land use category and a beauty shop is allowed under C-2 zoning district. Also, it is highly encouraged to utilize this large size parcel with true mix of uses, as the plan suggests, like residential, office and retail on the same site.

Staff recommends alternate recommendation of the request.

☐ Request conforms to Land Use Plan

☒ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

Staff Recommendation:

☐ Approval pending a plan amendment

☐ Denial

☒ Alternate Recommendation

Alternate Recommendation: C-2

Reviewer: John Osten

Title: Senior Planner

Date: 8/21/09

Manager Review: Nina Nixon-Mendez

Date: 8/24/09

03/28/2008



Zoning Case Notification Plan

Case Z-2009-152

Council District 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 09194 - Block 006 - Lot 20

Legend

- Subject Property (0.2061 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year DFIRM Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(09/24/2009 - E Hart)

CASE NO: Z2009152

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 1

Ferguson Map: 582 D5

Applicant Name:

Owner Name:

Teresa A. Coles

Law Offices of Teresa Coles-Davila, P.C.

Zoning Request: From "R-5 CD" Single-Family Residential District with a Conditional Use for a Retail Import Business to "O-1" Office District.

Property Location: Lot 20, Block 6, NCB 9194

4819 San Pedro Avenue

The southwest corner of West Hermosa Drive and San Pedro Avenue.

Proposal: To conform zoning with existing land use (Law Office)

Neigh. Assoc. Edison Neighborhood Association and Olmos Park Terrace Neighborhood Association (within 200 feet)

Neigh. Plan North Central Neighborhoods Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Staff recommends approval pending the plan amendment.

The subject property is located in north San Antonio, on the southwest corner of West Hermosa Drive and San Pedro Avenue. There is an existing office building on the subject property, which measures approximately 1,121 square feet and was constructed in 1958. The site is limited to one driveway along San Pedro Avenue, a major thoroughfare and no access is granted onto West Hermosa Drive. This eliminates any potential negative impact of traffic being generated by this non-residential use. The subject property was annexed in May of 1940. The property is adjacent to "R-5" Single-Family Residential District to the west, south and across West Hermosa Drive to the north. Property across San Pedro Avenue to the east is zoned "H R-5" Historic Single-Family Residential District.

The applicant is requesting a zoning change to allow a Law Office. The North Central Neighborhood Community Plan designates future land use for this location as Low Density Residential. However, the applicant is requesting a plan amendment to the Neighborhood Commercial land use designation. This plan amendment would be required in order to rezone the subject property to "O-1" Office District. The applicant submitted the plan amendment and the requested Neighborhood Commercial designation was recommended for approval at the September 23, 2009 Planning Commission meeting.

Staff finds the requested zoning district to be appropriate. The subject property has already been developed according to commercial standards, since this property has been used for a Retail Import Business. The property has unique characteristics that deem it appropriate for "O-1" zoning. The property is within the San Pedro Avenue and Clower Street commercial intersection with frontage on San Pedro Avenue. The purpose of the "O-1" district is to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. "O-1" includes standards that would make it an appropriate transition at this location. Uses within an "O-1" district are limited to uses incidental to the needs of the occupants of the building and are not designed to serve a regional market area. Buildings in an "O-1" district are restricted to 10,000 square feet for

CASE NO: Z2009152

Final Staff Recommendation - Zoning Commission

individual buildings. The outdoor display or sale of merchandise is prohibited in the "O-1" district.

A previous application was filed for this property, requesting a change to "C-2 NA" Commercial Non-Alcoholic Sales District. Staff recommended denial, the Zoning Commission recommended denial on January 21, 2003. City Council recommended approval of "R-5 CD" Single-Family Residential District with a Conditional Use for a Retail Import Business on April 24, 2003.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009152

Existing Zoning: R-5 C (Retail)

Requested Zoning: O-1

Registered Neighborhood Association(s): Edison Neighborhood Association
Olmos Park Terrace Neighborhood Association is within 200 feet.

Neighborhood/Community/Perimeter Plan: North Central Neighborhoods Community Plan

Future Land Use for the site: Low Density Residential

Analysis:

The subject property is located at the northwest corner of San Pedro Avenue and West Hermosa Street.

The applicant is requesting a zoning change from R-5 C (Conditional Use for Retail Import Business) to O-1 to allow for a law office. The property is located in the predominantly low density residential land use portion of San Pedro in the North Central Neighborhoods Community Plan. The subject property, approximately 0.204 acre, is currently developed. All adjoining uses are residential. To the east is Olmos Park Historic District that residential uses along Hermosa.

The North Central Neighborhoods Community Plan calls this location as Low Density Residential land use. This land use category is strictly for single family residences, and various low density zoning districts will be allowed under this category.

A land use plan amendment from Low Density Residential to Neighborhood Commercial land use will be required for this zoning change request.

Staff recommends denial of the request as submitted. An alternative would be an R-5 C (Office) zoning designation. This would ensure that the property's residential character would not change yet allow for a limited professional office use with conditions.

☐ Request conforms to Land Use Plan

☒ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

Staff Recommendation:

☐ Approval pending a plan amendment

☐ Denial

☒ Alternate Recommendation:

Alternate Recommendation: R-5 C (Office) with conditions:

- 1) Lighting shall have 90° or less cut off fixtures.
- 2) The hours of operation should be limited to normal business hours in order to reduce any negative impact on the adjacent neighborhood.
- 3) Only on-premise free standing sign with maximum height of 5 feet and message area of 32 square feet will be allowed. The sign may be illuminated by an external light source.

Reviewer: John Osten

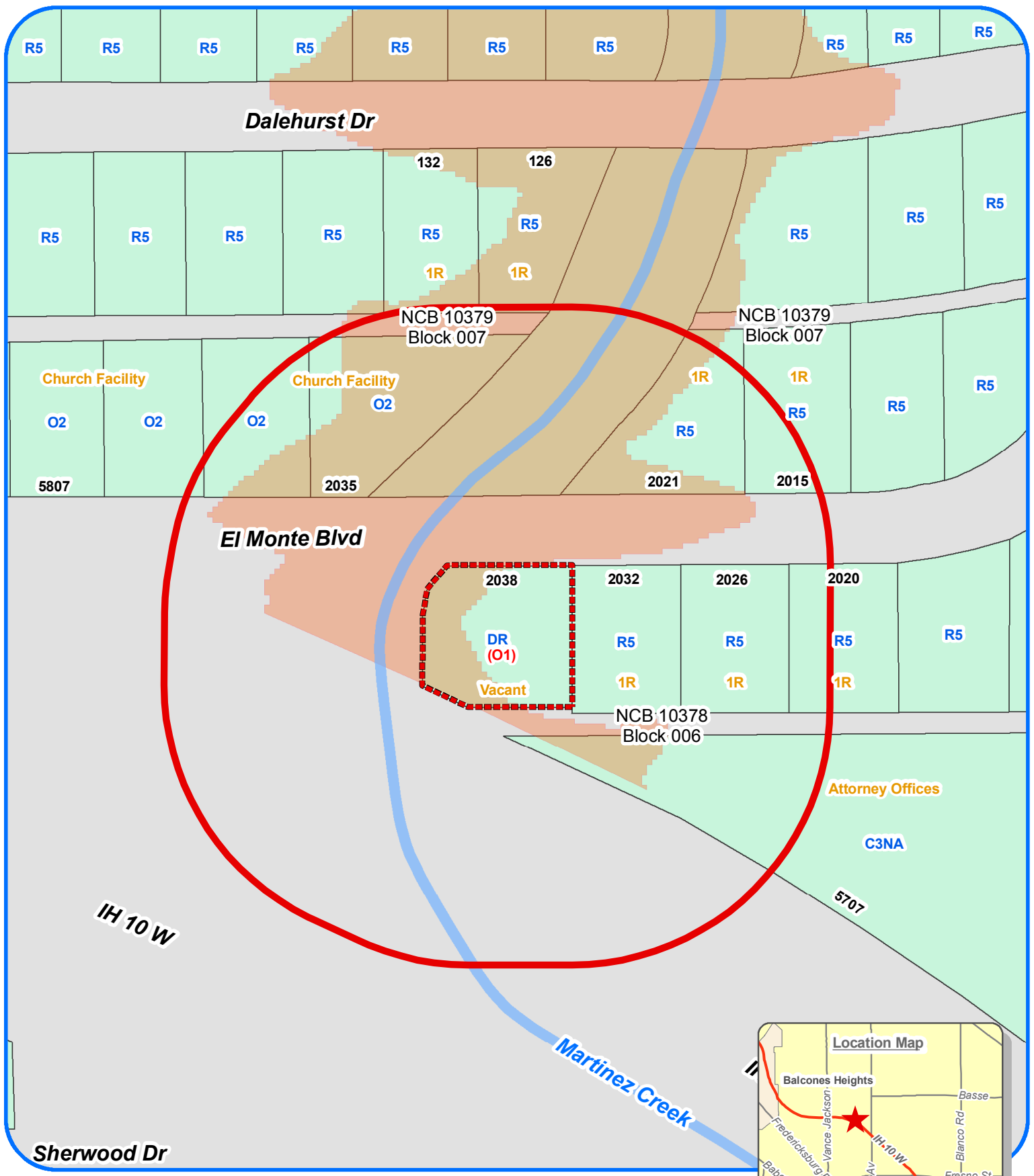
Title: Senior Planner

Date: 8/21/09

Manager Review: Nina Nixon-Mendez

Date: 8/24/09

03/28/2008



Zoning Case Notification Plan

Case Z-2009-153

Council District 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 10378 - Block 006 - 0.280 Acres

Legend

- Subject Property (0.280 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year DFIRM Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(09/18/2009 - E Hart)

CASE NO: Z2009153

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 1

Ferguson Map: 581 F4

Applicant Name:

Owner Name:

The Gordon Hartman Family Foundation c/o
Gordon Hartman

Herman B. Ford

Zoning Request: From "DR" Development Reserve to "O-1" Office District.

Property Location: 0.280 of an acre out of Block 6, NCB 10378

2000 Block El Monte Boulevard

On the south side of El Monte Boulevard at its intersection with Interstate Highway 10 West

Proposal: To allow for an office building

Neigh. Assoc. Dellview Area Neighborhood Association

Neigh. Plan Greater Dellview Area Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval

The subject property is located in northwest San Antonio, on the south side of El Monte Boulevard and abutting Interstate Highway 10 West. The site is currently undeveloped and was annexed in September of 1952. The 0.280 acre site was recently quit-claimed from the State of Texas. Zoning did not exist on the 0.280 acre site and when this new parcel was recently created, the zoning automatically given was "DR" Development Reserve. The "DR" Development Reserve District is not appropriate because it is temporary zoning usually applied to recently annexed property. The site is adjacent to "R-5" Residential Single-Family District to the east and an existing drainage easement to the west which extends across El Monte Boulevard to the north. The applicant wants zoning that would allow the construction of a two-story office building with access provided solely from the Interstate Highway 10 West frontage road.

Staff finds the requested zoning district to be appropriate given the property location on Interstate Highway 10 West. The property has unique characteristics that deem it appropriate for "O-1" zoning. The property is within the Interstate Highway 10 West and West Avenue commercial node. The purpose of the "O-1" district is to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. "O-1" includes standards that would make it an appropriate transition at this location. Uses within an "O-1" district are limited to uses incidental to the needs of the occupants of the building and are not designed to serve a regional market area. Buildings in an "O-1" district are restricted to 10,000 square feet for individual buildings. The outdoor display or sale of merchandise is prohibited in the "O-1" district.

This particular 0.280 acre site did not exist at the time of creating the Greater Dellview Area Community Plan; therefore it does not have a future land use designation. Objective 2.4 (page 30) encourages small business development in the Greater Dellview Area Community Plan area.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009153

Existing Zoning: DR

Requested Zoning: O-1

Registered Neighborhood Association(s): Dellview Area Neighborhood Association

Neighborhood/Community/Perimeter Plan: Greater Dellview Community Plan

Future Land Use for the site: N/A

Analysis:

This particular parcel did not exist at the time of creating the Community Plan; therefore it doesn't have any future land use designation on it. Based on the future land use of the adjacent parcels along the Expressway IH-10, and West Avenue and IH-10 intersection, an office use, which is allowed in Community Commercial uses, is appropriate. In addition, Objective 2.4 (page 30) encourages small business development in the plan area.

Staff Recommendation:

☐ Request conforms to Land Use Plan ☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

☒ Approval

☐ Denial

☐ Alternate Recommendation:

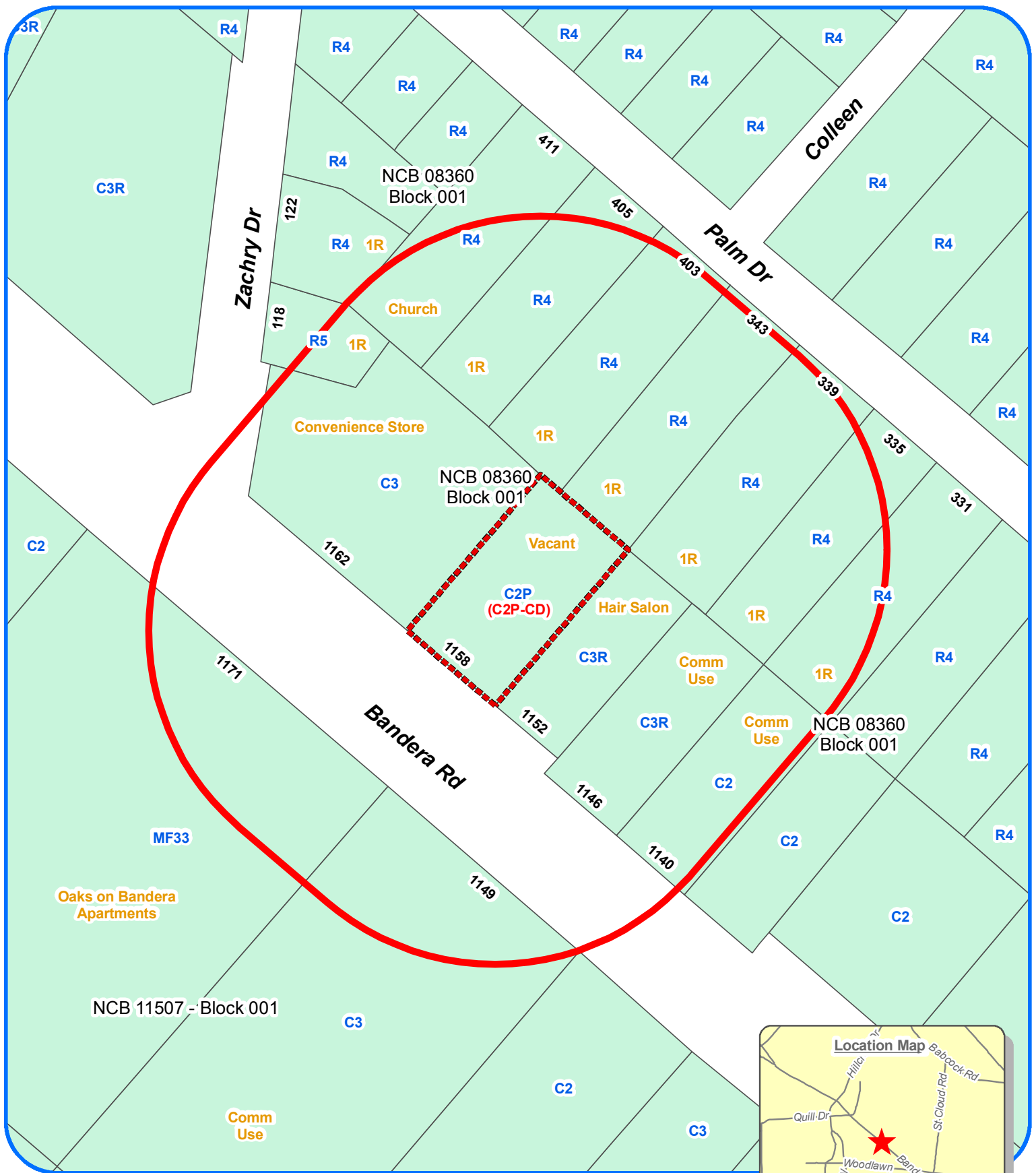
Reviewer: John Osten

Title: Senior Planner

Date: 8/31/09

Manager Review: Nina Nixon-Mendez

Date: 8/31/09



Zoning Case Notification Plan

Case Z-2009-155 CD

Council District 7

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 08360 - Block H - Lot 178 & E 20 ft of Lot 177 Exc the S 19.31' of the NW 178.0'

Legend

- Subject Property (0.3637 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year DFIRM Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(09/24/2009 - E Hart)

CASE NO: Z2009155 CD

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 7

Ferguson Map: 581 B8

Applicant Name:

Maria E. Santana

Owner Name:

Maria E. Santana

Zoning Request: From "C-2P" Commercial Pedestrian District to "C-2P CD" Commercial Pedestrian District with a Conditional Use for Motor Vehicle Sales.

Property Location: Lot 178 and the east 20 feet of Lot 177, Block H, NCB 8360

1158 Bandera Road

On the northeast side of Bandera Road southeast of Zachry Drive

Proposal: To allow for Motor Vehicle Sales

Neigh. Assoc. Donaldson Terrace Neighborhood Association and University Park Neighborhood Association

Neigh. Plan Near Northwest Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Denial

The Near Northwest Community Plan envisions the land use for this 0.3637 acre site to be Community Commercial. The Plan states that Community Commercial includes medium and high density uses that draw their customer base from a larger community. These uses are typically located on arterials at major intersections or in established commercial areas along arterials. The Plan also states that Community Commercial centers should be designed to create safe, attractive, and convenient vehicular and pedestrian linkages with adjoining land uses. Action Step 2.2.4 (p. 26) states: "Discourage certain businesses from locating within the planning area including day lay labor sites, pawn shops, tattoo parlors, dollar-type stores, used car sales and additional auto-repair stores."

The site is located in northwest San Antonio within loop 410, on the northeast side of Bandera Road, a major thoroughfare. The site is currently vacant and was annexed in October of 1944. The site is adjacent to "C-3" General Commercial District to the northwest and "C-3R" General Commercial District, Restrictive Alcoholic Sales to the southeast with "R-4" Residential Single-Family District to northeast. The site is surrounded by a convenience store with gasoline to the northwest, a commercial use to the southeast with single-family dwellings to the northeast. The existing "C-2P" designation for the property is not out of character given the commercial uses along Bandera Road. The maximum front setback in a "C-2P" district is 35 feet. The district regulations within the "C-2" district are the same as in the "C-2P" districts except that there is no required front setback maximum.

Should the Zoning Commission move to recommend approval of "C-2P CD" for Motor Vehicle Sales, the following conditions are recommended: 1. No storage of junk vehicles shall be allowed. 2. Vehicles must be in running condition on-site at any given time for storage or sale. 3. Vehicles must be currently licensed.

A previous application was filed for this property, requesting a change to "C-2P CD" Commercial Pedestrian District with Conditional Use for Motor Vehicle Sales. Staff recommended denial of the Conditional Use and

CASE NO: Z2009155 CD

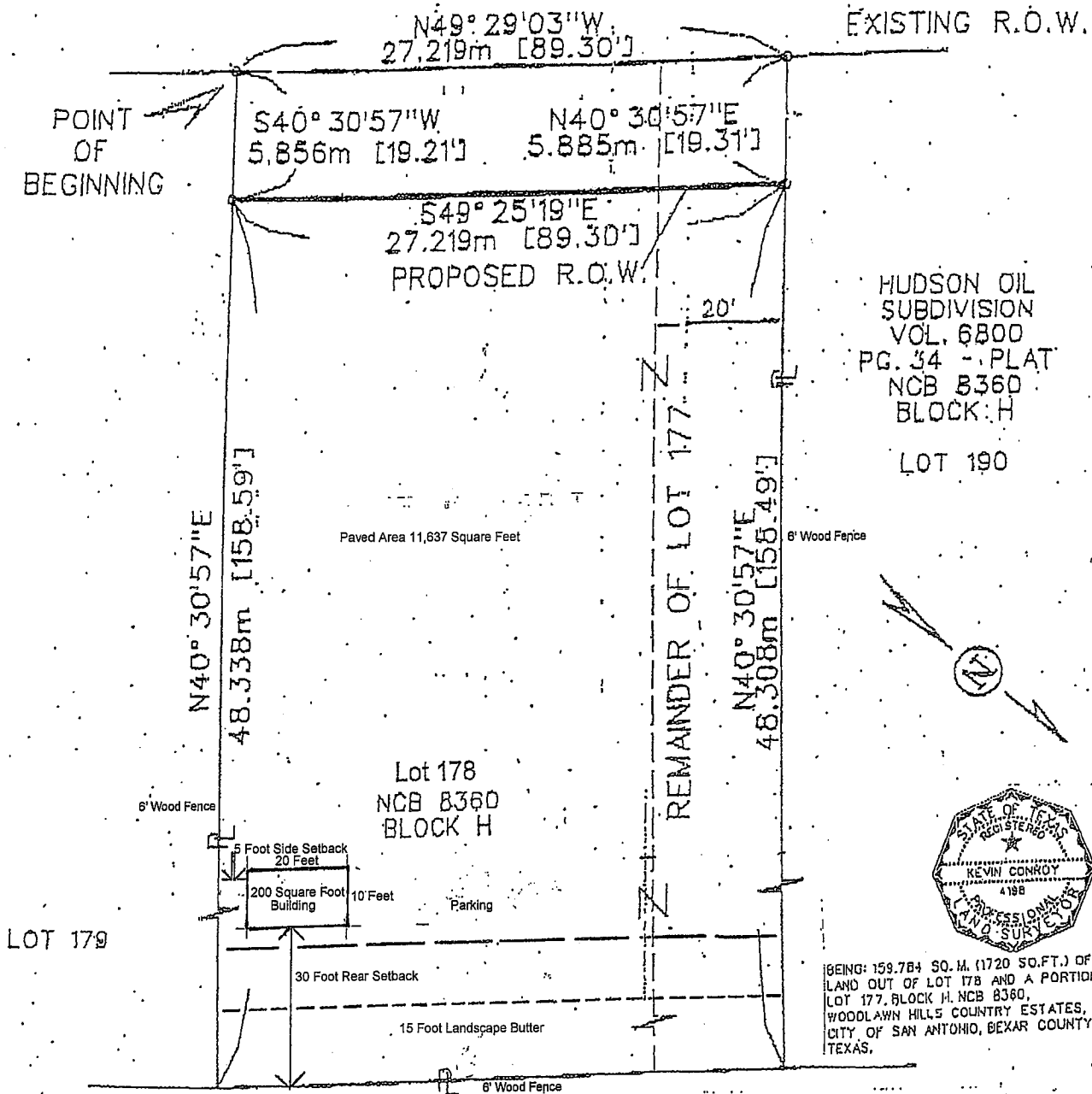
Final Staff Recommendation - Zoning Commission

approval of "C-2P", the Zoning Commission recommended approval of the "C-2P CD" Commercial Pedestrian District with a Conditional Use for Motor Vehicle Sales on September 19, 2006. City Council recommended approval of "C-2P" Commercial Pedestrian District on October 19, 2006, but did not approve the requested Conditional Use.

CASE MANAGER : Pedro Vega 207-7980

ZONNING CASE Z2009155 CD

BANDERA ROAD



The following statement: "I, MARIA E. SANTANA, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

SITE PLAN

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009155 CD

Existing Zoning: C-2P

Requested Zoning: C-2P CD (Motor Vehicle Sale)

Registered Neighborhood Association(s): Donaldson Terrace Neighborhood Association.
University Park Neighborhood Association is within 200 feet.

Neighborhood/Community/Perimeter Plan: Near Northwest Community Plan

Future Land Use for the site: Community Commercial

Analysis:

The subject property is a vacant 0.3637 acre tract of land on Bandera Road. This property is surrounded by a gas station to the north, a single family dwelling to the east, a commercial development to the south, and a multi family complex to the west, across from Bandera Road. Zoning designations of these surrounding properties are C-3, R-4, C-3R and MF-33 respectively. This portion of Bandera Road is classified as a Primary Arterial " Type A" .

The Near Northwest Community Plan calls Community Commercial land use for this location. This land use classification can include a mix of uses in the same building or in the same development. Community Commercial uses are typically located on arterials at major intersections (nodes) or in established commercial areas along arterials. Examples of Community Commercial uses include all Neighborhood Commercial uses, convenience stores with gas stations, grocery stores, plant nurseries, paint/carpet stores, offices, apartments and community shopping centers. The business development, objective 2.2 – page 25, section of the plan indicates the desire for attracting new, diverse businesses with pedestrian oriented environments. However, it has been clearly stated by the Action Step 2.2.4, on page 26, the desire of discouraging certain type of businesses, including auto sales, within the plan area.

The requested conditional use for motor vehicle sales is a regional commercial use and it is not desired by the Community Plan for this area. The request is not appropriate for this location.

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing.

Staff Recommendation:

☐ Approval

☒ Denial

☐ Alternate Recommendation:

Reviewer: John Osten

Title: Senior Planner

Date: 9/17/09

Manager Review: Nina Nixon-Mendez

Date: 9/17/09

03/28/2008



Case Z-2009-157 S

Subject Property Legal Description(s): NCB 00597 - Block A - Lot 1 and W 22.5 ft of Lot 2

Subject Property (0.2667 Acres)
 200' Notification Buffer
 Current Zoning
 Requested Zoning Change
 1-Year DFIRM Floodplain



Planning & Development Services Dept
City of San Antonio
(09/18/2009 - E Hart)

CASE NO: Z2009157 S

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 2

Ferguson Map: 617 A6

Applicant Name:

Owner Name:

David G. Sendejo/Jerry Arredondo &
Associates

KMK Hotel LLC (Chetan Patel)

Zoning Request: From "AE-1" Arts and Entertainment District to "AE-1 S" Arts and Entertainment District with a Specific Use Authorization for a hotel.

Property Location: Lot 1 and the west 22 feet of Lot 2 (also known as Arbitrary Lot A-10), Block A, NCB 597, save and except 0.0034 of an acre out of Lot 1, Block A, NCB 597 (Per deed volume 11825, page 2485)

1304 East Commerce Street

On the southeast corner of East Commerce Street and South Cherry.

Proposal: To allow a hotel

Neigh. Assoc. Downtown Resident's Association. The Dignowity Hill Neighborhood Association is within 200 feet.

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property consists of vacant land with ingress/egress on East Commerce Street and Shadrach. The property is adjacent to AE-1 zoning to the north, south and east and D zoning to the west. The surrounding land uses consist of a self storage facility to the north, offices to the west, vacant land to the northwest, commercial uses to the east and vacant land and residential dwellings to the south.

The applicant is requesting this rezoning in order to allow the development of a hotel, which requires a Specific Use Authorization in the AE-1 zoning district. Staff finds the request for this Specific Use Authorization to be appropriate given the subject property's location along a major arterial, East Commerce Street (a Primary Arterial "Type B" Street) coupled with its proximity to Downtown. Commerce Street provides a direct link to the Central Business District. Further, the base zoning district for the subject property will remain AE-1 Arts and Entertainment District, which already permits a variety of other uses and does not limit building size. A significant amount of AE-1 and D zoning exists within the vicinity of the subject property. Therefore, the requested Specific Use Authorization would be appropriate at this location and would not be out of character with the neighboring properties.

The purpose of the specific use authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.

CASE MANAGER : Brenda Valadez 207-7945

CHERRY STREET
57.8' R.O.W.

CHERRY STREET
ENTRANCE

COMMERCE STREET
83' R.O.W.

INTENDED PROPERTY USE:
THREE (3) STORY 21 ROOM HOTEL
WITH 24/7 MANAGERS SUITE

LEGAL DESCRIPTION:

1304 COMMERCE STREET
LOT 10
NCB 597
BLOCK A
0.271 ACRES

HOTEL TABULATIONS:

FIRST FLOOR	3,756 S.F.
SECOND FLOOR	3,506 S.F.
THIRD FLOOR	3,506 S.F.
TOTAL	10,768 S.F.

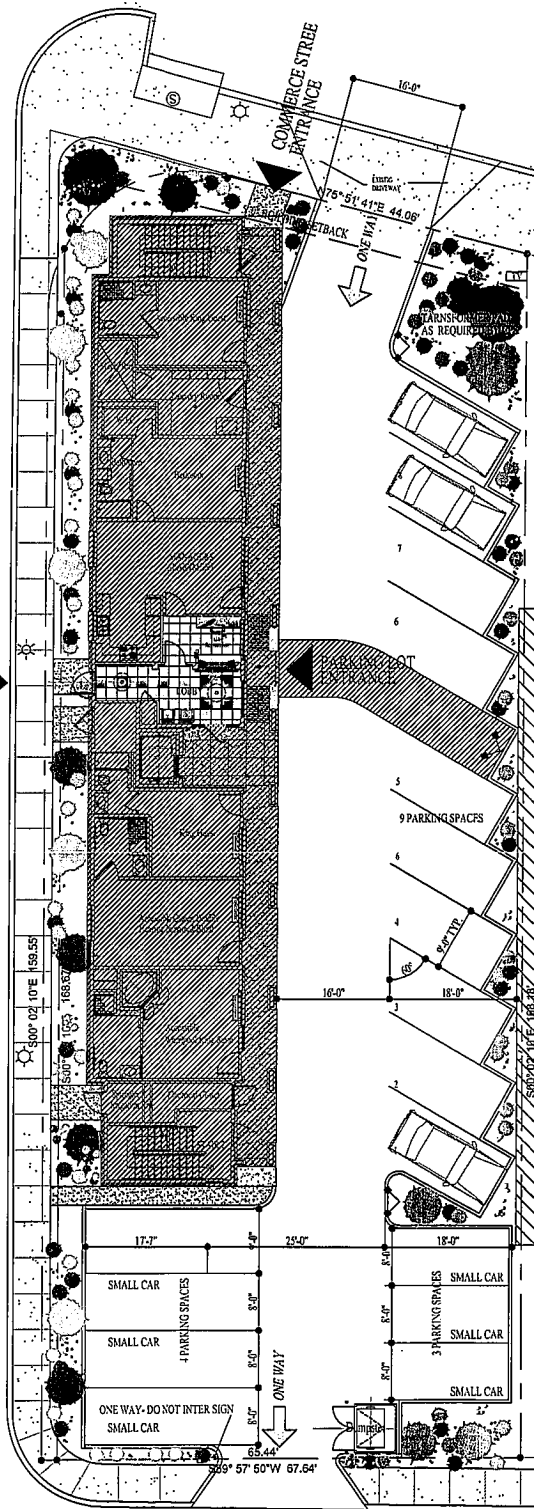
PROPERTY TABULATIONS:

TOTAL AREA OF PROPERTY -	11,882 S.F.
BUILDING S.F. (BUILDING FOOTPRINT) -	3,756 S.F.
AREA OF IMPERVIOUS COVER -	6,123 S.F.
AREA OF PERVIOUS COVER -	2,003 S.F.

I, Chetan Patel, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

NOTES:

1. Current zoning of property is AE-1. Hotels are allowed with a Special Use zoning. Proposed change in zoning is Special Use.
2. A 5' Building setback is required under proposed zoning change AE-1 however side and rear setbacks are not required by recorded plat or UDC.
3. The proposed driveway will occupy 26.7% of the front yard.



SITE PLAN

SHADRACH ST.
40.7' R.O.W.

RE-ZONING OF: CITY VIEW INN & SUITES

1304 COMMERCE STREET, SAN ANTONIO, TX
DATE: SEPTEMBER 04, 2009

CWS
ARCHITECTS
405 N. ST. MARY'S ST., SUITE 105
SAN ANTONIO, TEXAS 78205
P (210)824-1435, F (210)826-7454

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009157 S

Existing Zoning: AE-1

Requested Zoning: AE-1 S (Hotel)

Registered Neighborhood Association(s): Downtown Neighborhood Association.
Dignowity Hill Neighborhood Association is within 200 feet.

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Mixed Use

Analysis:

The subject property is a vacant 0.271 acre parcel located at the southeast corner of East Commerce Street and South Cherry Street. This property is surrounded by commercial uses to the west, north and east. Property to the south, across from Shadrach Street, is vacant. This portion of Commerce Street is classified as a Primary Arterial "Type B" on the Thoroughfare Plan.

The Downtown Neighborhood Plan calls Mixed Use land use for this location. This land use classification can include a mix of uses in the same building or in the same development. This type of uses should be located along the arterials or at the intersection of major streets (nodes). The location of the subject property is considered the gateway to the East Side of San Antonio and starting point of Arts and Entertainment Zoning District area.

The Arts and Entertainment Special Zoning Districts are designed to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses. These Special Zoning Districts are appropriate where existing arts and entertainment venues are adjacent to areas with high building and lot vacancy rates where infill development and redevelopment is desired. By creating a distinct area for arts and entertainment venues and supporting uses, this zoning district allows a community to capitalize on nearby venues and draw visitors into the community. The Arts and Entertainment Districts facilitate infill development and redevelopment by creating a consistent pattern of zoning, creating certainty about the form and function of future development and creating an identity that may be utilized to attract investment. The Arts and Entertainment Districts include four unique districts designed to accommodate a range of existing conditions and desired outcomes. All of the Arts and Entertainment Districts require quality building design and materials and a pedestrian-oriented, mixed-use environment.

The requested special use for a hotel is supported by this special zoning district for this area. The request is appropriate for this location.

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing.

Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation:

Reviewer: John Osten

Title: Senior Planner

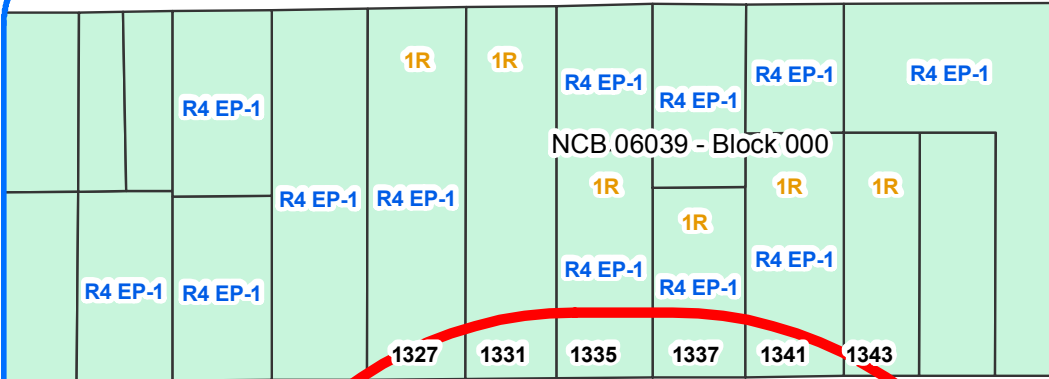
Date: 9/17/09

Manager Review: Nina Nixon-Mendez

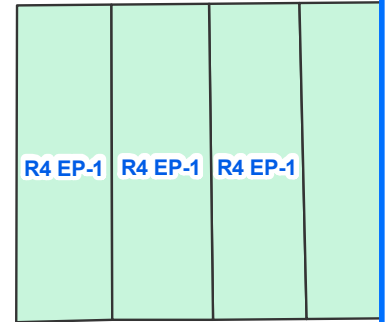
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03/28/2008

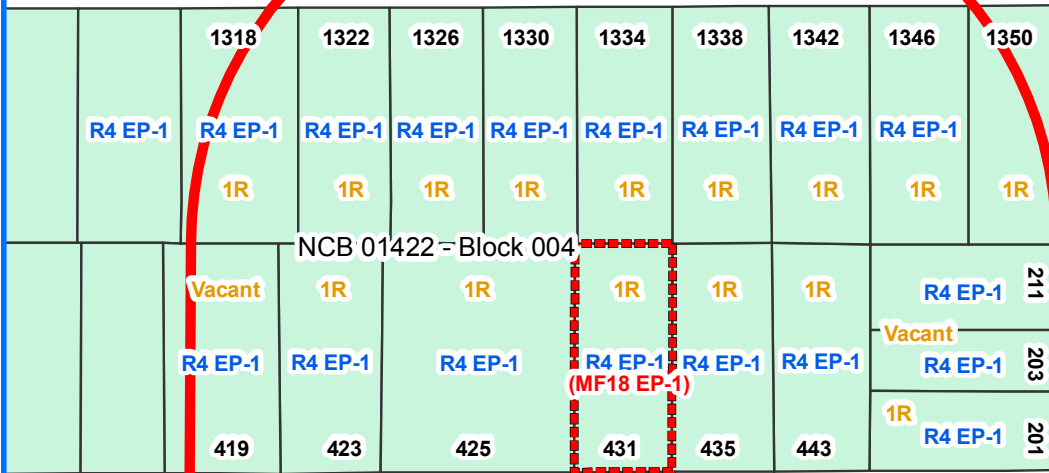
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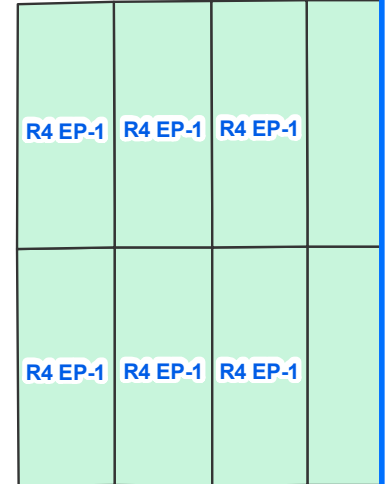
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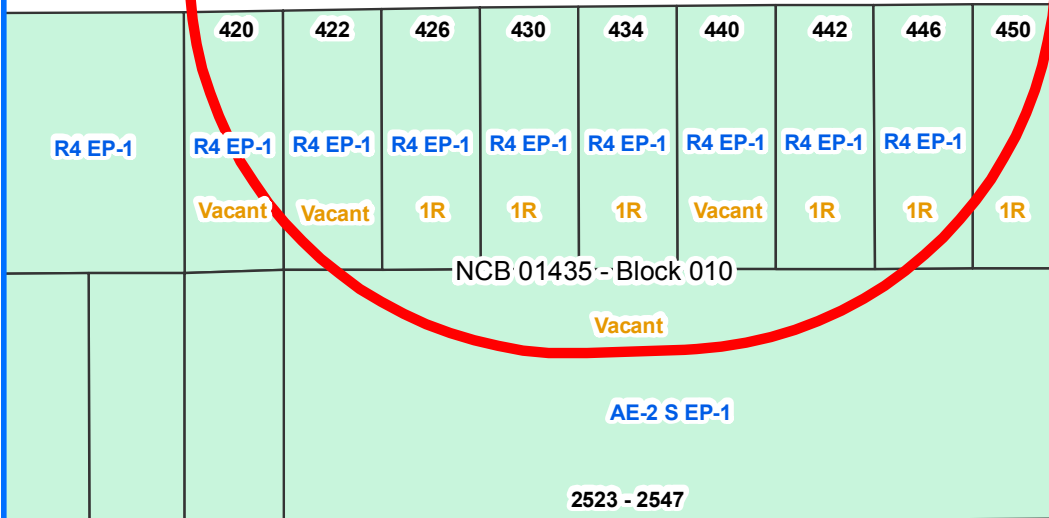
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Paso Hondo

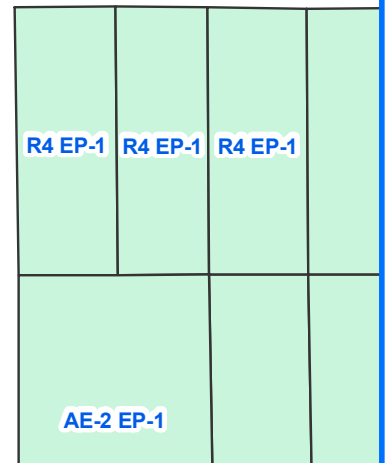


Belmont



E Commerce St

N Walters



Zoning Case Notification Plan

Case Z-2009-158

Council District 2

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 01422 - Block 004 - Lot 22

Legend

- Subject Property (0.1405 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year DFIRM Floodplain



Planning & Development Services Dept
City of San Antonio
(09/20/2009 - E Hart)

CASE NO: Z2009158

Final Staff Recommendation - Zoning Commission

Date: October 06, 2009

Council District: 2

Ferguson Map: 617 D6

Applicant Name:

Owner Name:

Mauro & Bertha E. Santibanez

Mauro & Bertha E. Santibanez

Zoning Request: From "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District to "MF-18 EP-1" Multi-Family Facility Parking/Traffic Control District.

Property Location: Lot 22, Block 4, NCB 1422

431 Belmont Street

On the north side of Belmont Street, west of North Walters Street

Proposal: To allow for two separate meters for two dwelling units

Neigh. Assoc. Jefferson Heights Association

Neigh. Plan Arena District/Eastside Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Approval

The subject property is located within the original city limits and totals approximately 0.1405 acres. The subject property is occupied by two existing single-family dwellings and has frontage on Belmont Street, a local street. There is an existing single-family dwelling on the subject property that measures approximately 1136 square feet and was constructed in 1930, as well as an existing accessory dwelling unit that measures approximately 462 square feet and was constructed in 1930. Both structures were constructed prior to the application of city zoning regulations. In 2002 following the adoption of the Unified Development Code, the existing "R-4" Residential Single-Family District zoning converted from the previous "B" Residence District. The subject property is adjacent to "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District to the west, north and east as well as across Belmont Street to the south. The applicant is also the owner of the single-family dwelling located at 425 Belmont Street. The Event Parking/ Traffic Control District was adopted in September of 2002. The purpose of this overlay district is to establish regulations to regulate parking and traffic in and around large facilities that attract large amounts of vehicle traffic.

The applicant is requesting a change of zoning in order to allow for two meters on a 6,120 square foot lot. Although the general area is primarily zoned "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District, there is an existing mix of residential uses in the general area. The current zoning of "R-4" permits only single-family dwellings with a minimum lot size of 4,000 square feet. The "MF-18 EP-1" permits multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, with a maximum density of 18 units per acre but due to the lot's size would allow two units maximum. The Arena District/Eastside Community Plan calls for Medium Density Residential land use for the subject property. The Plan defines this land use category as including single-family dwellings, duplexes, triplexes, fourplexes and accessory dwelling units. The proposed rezoning would meet the requirements of the Medium Density Residential definition and will not require a plan amendment to the Arena District/Eastside Community Plan. The Arena District/Eastside Community Plan calls for Medium Density Residential land use for the subject property. The Plan defines this land use category as including

CASE NO: Z2009158

Final Staff Recommendation - Zoning Commission

single-family dwellings, duplexes, triplexes, fourplexes and accessory dwelling units. The proposed rezoning would meet the requirements of the Medium Density Residential definition and will not require a plan amendment to the Arena District/Eastside Community Plan. The zoning request would be appropriate at this location and is consistent with the Arena District/Eastside Community Plan.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009158

Existing Zoning: R-4 EP-1

Requested Zoning: MF-18 EP-1

Registered Neighborhood Association(s): Jefferson Heights Neighborhood Association

Neighborhood/Community/Perimeter Plan: Arena District / Eastside Community Plan

Future Land Use for the site: Medium Density Residential

Analysis:

The subject property is a developed 0.1405 acre parcel located on the north side of Belmont Street in Arena District/Eastside Community Plan area. This plan calls for Medium Density Residential land use for this location. Medium Density Residential land uses promote variety of residential uses including, but not limited to duplex, triplex, and fourplexes. Required MF-18 EP-1 zoning designation will allow the property owner to utilize the property with a duplex (two dwelling units). MF-18 is considered as medium density residential zoning designation.

The applicant wants to utilize the secondary structure (a granny flat) located at the back of her property as an individual dwelling unit. Current zoning regulation on the property allows only a single-family residential use. As long as the required parking space for two dwelling units is met, utilizing this property with a duplex is appropriate for the existing land use plan.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation:

Reviewer: John Osten

Title: Senior Planner

Date: 9/17/09

Manager Review: Nina Nixon-Mendez

Date: 9/17/09